

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

DAVID HOLZMAN,

JUDGMENT IN A CIVIL CASE

Plaintiff,

Case: CIVIL 04-00009SOM-KSC

V.

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

COMMERCIAL FORCED AIR,
INC., et al.

September 26, 2006

At 4 o'clock and 00 min p.m.
SUE BEITIA, CLERK

Defendants.

- [] **Decision by Court.** This action came for hearing before the Court. The issues have been heard and a decision has been rendered.

The Clerk of Court having entered Default against defendant Commercial Forced Air, Inc. on September 26, 2006, as pursuant to the "FINDINGS AND RECOMMENDATION THAT MOTION FOR SANCTIONS BE GRANTED AND THAT ENTRY OF DEFAULT AND JUDGMENT BY DEFAULT BE ENTERED" filed on September 8, 2006, and as pursuant to the "ORDER ADOPTING MAGISTRATE'S FINDINGS AND RECOMMENDATION" filed on September 26, 2006,

IT IS ORDERED AND ADJUDGED that pursuant to said Findings and Recommendation and pursuant to said Order Adopting the Findings and Recommendation:

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1. Plaintiff David Holzman's Motion for Sanctions is GRANTED,
2. Defendant Commercial Forced Air, Inc.'s Counterclaim is DISMISSED, and
3. DEFAULT JUDGMENT is entered against Defendant Commercial Forced Air, Inc., et al., and entered to include the following provision:
 - Plaintiff is entitled to recover a total of \$601,042.29 consisting of the following:
 - \$510,882.00 in commissions owed,
 - \$4,400.00 for the arbitration fee; and
 - \$ 84,757.29 in attorneys' fees and costs incurred by Plaintiff in bringing this case.

September 26, 2006

Date

SUE BEITIA

Clerk



(By) Deputy Clerk